



EVACUATION PLANNING GUIDANCE

For our local Emergency Managers, the Operations and Planning Section staff at the N.D. Division of Homeland Security developed this planning guidance to assist you and your planning team to develop/revise the evacuation components of your Local Emergency Operations Plan (LEOP). The **items in red are the planning requirements** included in the Fiscal Year (FY) 2006 State Homeland Security Grant; the **items in blue are samples** to serve as a jumping off point in your plan revision/development. **Items in green are questions/comments to consider** when addressing each planning requirement.

This guidance is based on a crosswalk of the evacuation planning requirements with the new structure of the SEOP. We are using it here as a sample structure. You are not required to adopt the new SEOP structure. Keep in mind that no matter what format you select for your plan, it must address all of the planning requirements.

First, a Few Basics...

Start with a review of your existing materials:

- Review evacuation tasks in your annex charts.
For example, the Coordination and Control Annex includes such tasks as: “coordinate evacuation activities” and “determine when and how evacuees may return to a disaster/risk area.” The Public Safety Annex for Law Enforcement contains the task: “coordinate evacuation planning and procedures.”
- Review the listings of task coordinators to determine if you have identified all agencies you believe would have a lead and support role in evacuation.
- Review the planning material associated with the tasks. Identify areas that need updating/review and issues still not addressed (based on the planning requirements and other issues relevant to your jurisdiction).

Conduct planning meetings with all agencies you have identified:

- Review existing planning materials with your team. *Have you identified everyone who needs to be at the table?*
- Review the evacuation planning requirements.
- Discuss areas that still need to be developed.
- Assign responsibilities for plan review/development to your team members.
- Conduct periodic meetings to review materials with your planning team and crosswalk the planning requirements with your plan.

WHO HAS RESPONSIBILITY?

Evaluate the list of your agencies and determine who has a lead and support role for both evacuation.

Note: On the state level, we are using Lead State Agencies in place of Functional Coordinators and Support State Agencies instead of Task Coordinators.

From the state Evacuation/Sheltering/Mass Care Incident Annex, here are a few of the agencies tasked with evacuation responsibilities:

LEAD AGENCIES:

N.D. Department of Transportation
N.D. Highway Patrol

SUPPORT AGENCIES:

N.D. Board of Animal Health
N.D. Department of Emergency Services
N.D. Department of Health
N.D. Department of Human Services
N.D. National Guard

PRIVATE RELIEF AGENCIES:

Community Emergency Response Teams
American Red Cross
The Salvation Army
Voluntary Organizations Active in Disaster
Community Action Agency

1. SITUATION

Requirement #1: Ensure the plan identifies the respective objectives.

A. General. What is the objective of your plan? What do you hope to accomplish? This section establishes your purpose.

From Kym Overland, Fargo Emergency Manager:

The purpose of this document is to provide the framework the City of Fargo needs to ensure the safe and orderly evacuation of residents who are threatened by hazards. It is intended to assign responsibilities to specific departments or agencies. Each individual department or agency is responsible for planning how they will fulfill their assignments.

From the SEOP Base Plan:

The North Dakota State Emergency Operations Plan (SEOP) establishes the parameters for a systematic, coordinated approach for response to and recovery from emergencies or disasters occurring within the state...

Requirement #2: Ensure the plan identifies the scope of authority for authorizing and enforcing evacuations.

B. Scope. Here's where you will want to state the *scope of the plan*...

From the state Evacuation/Sheltering/Mass Care Incident Annex:

This plan provides direction to state agencies and local governments within North Dakota involved in protecting public safety, and preparing for and responding to evacuation, sheltering, and mass care events. This annex provides a vehicle for establishing and maintaining a current and realistic assessment of the potential evacuation, sheltering, and mass care events in North Dakota. Additionally, it outlines the roles, responsibilities and capabilities of state agencies in preparing for and responding to an evacuation, sheltering, and mass care event.

C. Legal Basis. ...and here's where you outline the legal *authority*. As a jumping off point, take a look at these links and see how they apply to your plan.

From the state Evacuation/Sheltering/Mass Care Incident Annex:

Following are the authorities and references for implementation of this plan:

- The North Dakota Disaster Act of 1985, North Dakota Century Code Chapter (NDCC) 37-17.1
- State Board of Animal Health, Powers of Board Over Contagious and Infectious Diseases, NDCC 36-01-12,
- N.D. Department of Health, Communicable Confinement Disease Procedure, NDCC 23-07.6.

See Attachment A of this document for reference material from the North Dakota Century Code.

Requirement #3: Ensure the plan identifies key concerns related to your jurisdiction.

D. Planning Assumptions. Here's where you can identify key concerns/assumptions about your plan:

Here are some sample planning assumptions from Ed Lodwig, Williams County Emergency Manager:

- Spontaneous evacuation will occur when there is sufficient warning of the threat. Between 5 to 20 percent of the people at risk will evacuate before being directed to do so.
- Some people will refuse to evacuate, regardless of the threat.
- Some owners of companion pets will refuse to evacuate unless arrangements have been made to care for their animals.

2. MISSION

This is an optional addition you may want to consider adding to your plan.

From the state Evacuation/Sheltering/Mass Care Incident Annex:

The primary mission of state agencies assigned responsibility in the evacuation, sheltering, and mass care incident annex is to coordinate and make available resources in support of local governments to minimize the impact of an evacuation, sheltering, and mass care emergency or disaster on people, property and the environment.

3. EXECUTION

Requirement #4: When will your evacuation plans go into effect?

For this requirement, work with your planning team to decide when an evacuation would take place – when a hazard threatens the safety of a community? When a first responding agency decides that an incident has the potential to create a public safety hazard and require evacuation of a community? Based on forecasted conditions? ***What prompts you to enact your evacuation plan?***

From the state Evacuation/Sheltering/Mass Care Incident Annex:

This plan is in effect at such time as:

1. The Governor receives notification of a potential or actual request for evacuation from the N.D. Department of Emergency Services.
2. The Director of NDDDES, or designee, requests appropriate state departments or agencies to assist with the needs of evacuees and to collaborate with private agencies.
3. The Governor of North Dakota declares an emergency or disaster.

Refer to Attachment A of this document for Century Code Excerpts.

Requirement #5: Ensure your plan outlines a chain of command for carrying out evacuation protection.

A. General. Discuss the specifics of your plan's execution. Who has authority for issuing an evacuation order? Who has responsibility for carrying out an evacuation order? It's important to check with your State's Attorney to clarify evacuation authority. Be sure to reflect who has authority and ensure you are not only coordinating with all the agencies in both plan development and implementation but also ensure you have protocols for notifying the State Emergency Operations Center. ***Ensure coordination with all responsible organizations including the SEOC.***

From Ed Ludwig, Williams County Emergency Manager:

Evacuation Authority of the Governor

The Governor has the authority to issue a declaration of Disaster Emergency under Chapter 37 of the Emergency Services which shall continue until the governor determines that the threat of an emergency has passed or the disaster has been dealt with to the extent that emergency conditions no longer exist. The Legislative assembly by concurrent resolution may terminate a state of emergency or disaster at any time. During the state of emergency or disaster

the governor has the authority to direct and compel (that is forcibly remove) the evacuation of all or part of the population from any stricken or threatened area within the state if the action is necessary for the preservation of life or other disaster mitigation, response or recovery.

Evacuation Authority of County Commissioners and Mayors

All county commissioners and mayors have the authority to order (that is command or direct), but not to compel, and evacuation within their jurisdiction in the event of a disaster emergency. The authority of county and municipal elected officials should be exercised after a local disaster or emergency has been declared by the county or municipal governing body upon finding that a disaster has occurred or is imminent.

A local disaster or emergency may be declared only by the principal executive officer of the county or city. It may not be continued or renewed for a period in excess of seven days except by or with the consent of the governing board of the county or city. Any order or proclamation declaring a local disaster or emergency must be given prompt and general publicity and must be filed promptly with the county or city auditor.

The effect of a declaration of a local disaster or emergency is to activate the response and recovery aspects of any and all applicable local disaster or emergency operational plans and to authorize the furnishing of aid and assistance there under.

From Dean Pearson, Bowman County Emergency Manager:

The request for evacuation can originate with any emergency responder agency, at the scene or in charge of a specific incident, which is well aware of the potential consequences to lives and property of the local citizens.

The request for evacuation is forwarded to the EOC, (if it is activated), or to the proper channels to get the EOC operational. The County Emergency Manager, or EOC staff member, if the Emergency Manager is absent, contacts the appropriate Chief Elected Official (CEO) of the jurisdiction requested to be evacuated to obtain authority for evacuation. The Emergency Manager notifies the State Emergency Operations Center.

Requests are made at this time, through the CEO, for the jurisdictions' elected officials to report to the EOC to assist with decision making and emergency planning. The Incident Commander (IC) will be in charge of the evacuation until an Evacuation Coordinator is in place at the EOC. This Evacuation Coordinator will be a member of the EOC staff and work in coordination with the CEO, their commission members, and the Emergency Manager. The Emergency Manager

will work with the SEOC regarding a Governor's evacuation order and state support.

Requirement #6: Ensure the plan defines voluntary and mandatory decision-making processes.

B. Voluntary and Mandatory Evacuation. Differentiate between voluntary and mandatory evacuations.

From Dave Rogness, Cass County Emergency Manager:

A voluntary evacuation advisory will be issued when conditions exist that present a moderate risk to life or as "advance warning" to allow citizens sufficient time to make preparations to evacuate if conditions suggest a mandatory evacuation may be imminent.

A mandatory, large scale evacuation advisory will be issued by the chief executive officer of the county when conditions exist that present a significant risk to life. In this case, the use of (or threat of) physical force to accomplish mandatory evacuation will not be used. It is assumed that local government will not be able to prevent loss of life after a mandatory evacuation advisory is issued and not heeded by those affected.

Some websites that may help with definitions:

<http://www.semp.us/glossary/e.html>

<http://www.fema.gov/pdf/plan/glo.pdf>

Here's where we break things up on an operational basis.

B. Concept of Operations.

Phase 1 – Prevention, Mitigation, Preparedness

Requirement #7: Ensure your evacuation plan identifies functional needs (formerly special needs) populations as determined by your regional population and includes plans for alerting and evacuating vulnerable populations as identified within your region.

- Local/tribal jurisdictions are requested to survey their own regional population needs and concerns in order to identify vulnerable populations.
- Vulnerable populations may include but are not limited to elderly, children, those with developmental disabilities, visually impaired, hearing impaired, intellectually impaired, speech and/or language impediments, mobility impediments, emotional disorders, multiple disorders, religious and/or cultural diversity.

A. Population Characteristics. Check with your local Social Services or Public Health Unit. They may know some resources. Also check with your nursing

homes and other facilities that care for vulnerable populations. Do they have plans in place? What shortfalls in resources have they identified? What resources will they need from your jurisdictions? What anticipated shortfalls has your planning team identified that will prompt you to look for mutual aid support or to contact the State Emergency Operations Center.

Note: On a state level, the Steering Committee on Emergency Preparedness and Vulnerable Populations will be researching sources of information on people with disabilities and the elderly. We'll keep you apprised.

Requirement #8: Ensure your evacuation plan addresses cultural and religious needs and practices for people within your region.

B. Population Evacuation Concerns. Are there any portions of your population that may be without transportation? Are there any language barriers that may be encountered? As demonstrated by Hurricanes Katrina and Rita, some families were separated causing a great deal of stress. How do you ensure people stay together? Are there dietary considerations that need addressing?

Requirement #9: Ensure your plan identifies assembly areas and modes of transportation.

C. Assembly Areas. Where are your citizens going to assemble if they need transportation? How are you going to arrange evacuation for them? What resources are going to be needed? Who is going to pick them up?

From Dick Sorenson, Mercer County Emergency Manager:

School buses from the four districts in the county and West River Transportation buses could be used for those who do not have a way to evacuate. Ambulances from Mercer County Ambulance, Antelope Valley Power Station and Dakota Gasification are available to evacuate people under medical care or bedridden patients.

Refer to Appendix B for information from Ed Lodwig, Williams County Emergency Manager, related to Assembly Points and contacts for transportation.

Requirement #10: Ensure your plan identifies evacuation options and evacuation routes.

D. Evacuation Routes. Here's where you describe how to evacuate people and the routes they should take. Refer to the *Disaster Procedures Guide*, page 23, for information on how to access the state GIS website, as well as GoogleEarth, Map Quest and information on mapping software that can be purchased. Consider including maps in your plan as attachments.

From Mary Senger, Burleigh County Emergency Manager:

Think in terms of snow emergency routes that are already identified (primary, secondary and tertiary). They are already signed and the community is familiar with them.

From Donna Scott, Dunn County Emergency Manager:

...Evacuation routes must remain fluid and planned at the time of the individual incident because different disasters require direct routes...

Killdeer – The main evacuation route out of Killdeer would be north and south on Highway 22 and east and west on Highway 200.

Dunn Center – The main evacuation route would be Highway 200 east and west. Dunn Center would also have access to the County Road 98th Avenue north and south.

Refer to Attachment C from Al Reynolds, Ward County Emergency Manager, at the end of this document.

Requirement #11: Ensure your plan describes evacuation movement control procedures.

Think in terms of who is going to control the traffic flow. Will you have a zoned evacuation? What does it take to conduct an orderly evacuation? What plans does your Public Safety Annex Functional Coordinator have in place to ensure no loss of life during an evacuation? How are you going to control return? Consider your churches serving a role in tracking people.

Requirement #12: Ensure your plan contains public education components using local media and other public resources to encourage pre-planning for self-evacuation and family emergency planning.

A. Public Information: Work with your Public Information Officer to outline how you plan on preparing your communities for potential evacuations. How are you going to ensure your citizens know in advance where to go and how to get there? Are there assembly points where they can meet if they don't have transportation? Is there a number you can call if you need help evacuating? What things do they need to take with them? What alerts/warnings do they need to be aware of? Consider also tasking the PIO to tie evacuation issues into your summer, winter and national preparedness campaigns. Also think about how you are going to disseminate the information. Are you going to post it on your website? Are you going to send brochures by mail? Are you going to distribute them during public presentations? Add it as an attachment to your plan.

A suggestion from Ilene Hardmeyer, Hettinger County Emergency Manager:

Consider developing and distributing a brochure that outlines evacuation routes and materials/items needed for preparedness kits.

Here are some websites that may help:

New Jersey

- “How Do I Evacuate” info for the public

<http://www.state.nj.us/njoem/plan/prot-act-evacuation.html>

Suffolk County (New York)

<http://www.co.suffolk.ny.us/webtemp3.cfm?dept=48&id=2521>

Phase 2 – Response

Requirement #13: Ensure your plan allows for a clear level of implementing effective and robust emergency alert systems.

What are your protocols for notifying the population when an evacuation has been ordered? Do you have reverse 9-1-1? What about TDD (Telecommunications Device for the Deaf)? What plans do you have for notifying nursing homes? Have you given them weather radios? What about schools? How are people going to know it's an evacuation? How will they be used? How can get alerts to blind, hearing-impaired and developmentally disabled individuals?

Some points to consider from Becky Ault, Pembina County Emergency Manager:
Ensure the Warning Annex Functional Coordinator alerts the public through the following methods:

- Siren Alert Warning System
- TV Cable Interrupt
- Emergency Alert System
- Law Enforcement and Fire public announcement (PA) systems
- Door-to-door notification
- Media
- NOAA Weather Radio

Requirement #14: Ensure your plan identifies, at a minimum, the pet/animal/livestock information listed below:

- **Method for tracking animals.**
- **Location for animal care/containment.**
- **Medical treatment of animals.**
- **Reunification with owners.**

You'll need the expertise of your Extension Service or area veterinarians here. People are reluctant to leave their pets. Locate places that are willing to take pets – from dogs to exotic pets such as snakes. Where large animals would be relocated in your community? Take a look at the animal shelter board in WebEOC.

Some websites that may be of value include:

Louisiana

<http://www.ohsep.louisiana.gov/evacinfo/stateevacrtes.htm>

American Veterinary Medical Association:

http://www.avma.org/disaster/responseguide/responseguide_toc.asp

Requirement #15: Ensure your plan describes how those impacted and the general public will be kept informed on activities and actions.

How will you convey information to the public? Do you have plans established for setting up a JIC? Who is responsible? Have you developed templates for critical messages? Who will communicate the message?

(3) Phase 3 – Recovery

Requirement #16: Ensure your plan discusses security provisions for people returning to their homes.

What precautions will your public safety officials take to ensure an area is safe for repopulation? Are the places housing evacuated going to be protected?

Think in terms of what protocols are in place by your Public Safety Annex functional and task coordinators for ensuring a community is safe for return. Who ensures utilities are safe for restoration? Would a zoned return allow for a more orderly restoration of services? How do you secure the perimeters?

Requirement #17: Ensure your plan outlines other provisions for people returning to their homes.

What happens when you return home? Those of who have had to clean up after being evacuated know that cleaning supplies will likely be needed. What things do you need your Individual and Family Assistance Annex Functional Coordinator to coordinate? What about crisis counseling and cleanup kits? What about your Health and Medical Annex Functional Coordinator? Would they be coordinating medical care? How would they initiate screenings?

4. LOGISTICAL SUPPORT

Requirement #18: Ensure your plan identifies sustainment of equipment/supplies to public safety personnel.

Here's where you can discuss logistical support of an incident. How do you ensure continued equipment and supplies –such as personnel protective equipment, backhoes, etc. -- for your Incident Commander and responding agencies? Outline here how you will coordinate with the SEOC for state support.

Here are some sample ideas from the SEOP Base Plan:

The Incident Commander (IC) will evaluate local assets and determine additional resource requirements in coordination with the SEOC. The state will provide resources in the most expedient means possible, using the Master Resource List (MRL) of local, state, federal and private resources.

a. ESF 1 – Transportation.

(1) Initial support to the IC is critical. All agencies will identify their transportation assets in the MRL. Agencies will be tasked for resources based on kind, type (capability), availability and proximity to the incident site. Agencies must plan for

and be ready to support initial delivery of transportation assets in and around the incident site.

Requirement #19: Identify your evacuation plan's mutual aid agreements.

Do your existing mutual aid agreements cover evacuation? List your mutual aids. Determine if you need additional agreements. Specify in your plan how you would go about contacting your neighboring jurisdictions and what type of support would you expect? Law enforcement? Do you have agreements with transportation companies and private sector entities such as power plants, ambulance services?

5. COMMAND AND CONTROL

Requirement #20: Ensure your plan outlines positions and title of person responsible for filling the positions... distinguishes the span of control. (i.e., who works for who (use titles) and what do they do.)

A. Command. Here's where we get to apply the Incident Command System (ICS) structure to your plan. Initial command and control will be local with on scene (incident) command. How will that structure look? How will the LEOC be structured? Develop a chart that reflects the Incident Commander/Unified Command, Liaison Officer (if applicable), Public Information Officer, Operations, Planning, Logistics and Administration/Finance.

Requirement #21: Ensure your evacuation plan lists responsibilities for lead and supporting agencies/organizations.

Requirement #22: Ensure the responsibilities for each agency/organizations are divided by preparation, response and recovery to an incident.

B. Agency Roles and Responsibilities. We'll hit two planning requirements with this one! Here's where you can define the different tasks of agencies based on the various phases of an emergency response.

Be sure to list who is responsible for the task and what each agency's responsibility is for the different phases. Don't forget to task the information outline in the Concept of Operations. Who is going to ensure that animal issues are addressed?

Phase 1 – Prevention, Mitigation, Preparedness

From Ed Lodwig, Williams County Emergency Manager:

Evacuation Coordinator:

- Identifies assembly areas of people who do not have their own transportation.
- Identifies evacuation routes.

Phase 2 – Response

From Kym Overland, Fargo Emergency Manager:

- *Police - Animal Control*

- Establish shelters or secure private shelters for pets of evacuees.
- Organize and distribute pets to proper care facilities.
- Maintain records of pet locations.
- Assist with rescue of stranded pets

Phase 3 – Recovery

Identify recovery issues related to evacuation such as restoration of services, the need for cleanup kits, pet/animal reunification and crisis counseling.

Here's an example from the SEOP **terrorism** incident annex:

North Dakota Fusion Center

1. Provide oversight for recovery operations.
2. Support criminal investigation efforts.

Division of Homeland Security

1. Administer disaster recovery programs.

Other Agencies

1. Provide support within the scope of agency services including, but not limited to, the following:
 - Damage assessment
 - Cleanup efforts
 - Disaster relief programs

6. COMMUNICATIONS

Here's another section that is optional but would likely be beneficial in terms of knowing what communications resources would be available to you during an evacuation.

Here are some examples from the SEOP Base Plan:

The Voice Radio System (State Radio) -- The voice radio system is controlled from a single communications dispatch center located in Bismarck. It is connected to 36 remote tower locations by telephone circuits, providing statewide voice communications. State Radio channels and frequencies are as follows:

State Radio Channel 1

<i>Transmit-TX</i>	<i>Receive-RX</i>
154.935	151.460
154.905	Paging

State Radio Mobile Channel 1

<i>Transmit-TX</i>	<i>Receive-RX</i>
151.460	154.935/151.460
Priority scan is 154.9	

State Radio Channel 2

<i>Transmit-TX</i>	<i>Receive-RX</i>
154.695	159.225

State Radio Mobile Channel 2

<i>Transmit-TX</i>	<i>Receive-RX</i>
159.225	154.695/159.225*
*Priority scan is 154.695	

State Radio Channel 3

<i>Transmit-TX</i>	<i>Receive-RX</i>
155.475	155.475

State Radio Mobile Channel 3

<i>Transmit-TX</i>	<i>Receive-RX</i>
155.475	155.475/SIMPLEX

WebEOC – WebEOC is the SEOC’s web-based incident management system used to coordinate the use of state assets. The website is:
<http://www.nd.gov/des/>.

Emergency Alert System (EAS) -- The Emergency Alert System (EAS) allows broadcast stations, satellite radio, cable systems, Direct Broadcast Satellite (DBS) systems, participating satellite companies, and other services to send and receive emergency information quickly and automatically, even if their facilities are unattended. Additionally, EAS equipment can directly monitor the National Weather Service for local weather and other emergency alerts (ex. AMBER Alert), which local broadcast stations, cable systems, and other EAS participants may then rebroadcast, providing an almost immediate relay of local emergency messages to the public. The SEOP Resource Library contains the North Dakota EAS Plan.

7. TESTING AND REVIEW PROCESS

Requirement #23: Ensure your plans indicate the intensity and frequency of exercises to enhance response of the community and public. Planning work is never done and exercises offer some of the best ways to see what revisions are needed to the plan. Discuss when and how you plan on exercising the plan. Consider incorporating evacuation in your three-year exercise plan.

From the AMBER Alert Incident Annex of the SEOP:

The AMBER Alert plan and system will be exercised on a yearly basis, if not more frequently. Plan participants will meet two months prior to the date of the test to review the plan and to prepare for the test. A news release, announcing the annual test will be sent to the media and NWS contacts approximately one week prior to the annual test.

More periodic testing will take place to ensure the accuracy of the fax and e-mail distribution lists and other system components. A review of the AMBER Alert Plan will be completed after each activation and yearly test.

Attachment A

Century Code Excerpts

DISASTER ACT

NDCC 37-17.1-03, paragraph 4

Limitations –

Nothing in this chapter may:

Limit, modify, or abridge the authority of the governor to proclaim martial law, provide aid or assistance to civil authorities, or exercise any other powers vested in the governor under the Constitution of North Dakota, or statutes, common law, or sovereign powers of this state independent of, or in conjunction with, any provisions of this chapter.

NDCC 37-17.1-05, paragraph 6.e

The Governor and disasters or emergencies - Penalty

Direct and compel the evacuation of all or part of the population from any stricken or threatened area within the state if the governor deems this action necessary for the preservation of life or other disaster or emergency mitigation, response, or recovery.

NDCC 37-17.1-10, paragraph 1

Local disasters or emergencies - Penalty

Unless so declared in accordance with the provisions of subsection 4 of section 37-17.1-05, a local disaster or emergency may be declared only by the principal executive officer of the county or city. It may not be continued or renewed for a period in excess of seven days except by or with the consent of the governing board of the county or city. Any order or proclamation declaring a local disaster or emergency must be given prompt and general publicity and must be filed promptly with the county or city auditor.

State Board of Animal Health, Powers of Board Over Contagious and Infectious Diseases, NDCC 36-01-12,

STATE BOARD OF ANIMAL HEALTH

36-01-08

Duties - Rules - Fees

The board shall protect the health of the domestic animals and nontraditional livestock of this state, shall determine and employ the most efficient and practical means for the prevention, suppression, control, and eradication of dangerous, contagious, and infectious diseases among the domestic animals and nontraditional livestock of this state, and shall prevent the escape and release of an animal injurious to or competitive with agriculture, horticulture, forestry, wild animals, and other natural resource interests. For the purpose of preventing the escape and release of an animal injurious to or competitive with agriculture, horticulture, forestry, wild animals, and other natural resource interests, the board may, by rule, quarantine any such animal, cause any such animal to be killed, regulate or prohibit the arrival in or departure from this state of any such animal, and at the cost of the owner thereof, the board may detain any animal found to be in violation of any rule or prohibition. Any matter relating to the health and welfare of domestic animals and nontraditional livestock and not specifically assigned by statute to another entity is deemed to be within the authority of the board. The board may make rules to carry into effect the purposes of this chapter and other duties prescribed in this title. The commissioner shall collect six cents for each brucellosis tag

and each identification tag and eight dollars for each health book the commissioner distributes. The fees collected by the commissioner must be deposited in the state general fund.

36-01-12

Powers of board over contagious and infectious diseases

The board may take such steps as it may deem necessary to control, suppress, and eradicate any and all contagious and infectious diseases among any of the domestic animals and nontraditional livestock of this state. For this purpose, the board may quarantine any domestic animal or nontraditional livestock which is infected, or may be infected, with any such disease or which has been exposed, or may be exposed, to infection, cause any animal so infected to be killed, regulate or prohibit the arrival in or departure from this state of any such exposed or infected animal, and at the cost of the owner thereof, it may detain any domestic animal or nontraditional livestock found to be in violation of any such regulation or prohibition. The board may also quarantine any city, civil township, or county or areas within a county in this state and any enclosure, building, or any domestic animal or nontraditional livestock therein which is or may be infected or exposed or may be exposed to any contagious or infectious disease.

36-01-12.2

Confiscation of nontraditional livestock held in violation of this chapter

1. The state veterinarian, or the state veterinarian's designee, a police officer, sheriff, or other law enforcement officer may seize any nontraditional livestock located on private property from the animal's owner or custodian if probable cause exists to believe that the animal is being held in violation of this chapter or rules adopted under this chapter. Unless it is shown that there exists an exigency or occasion as to require the immediate confiscation, an animal may not be seized until a hearing is held allowing the owner or custodian to show cause why the animal should not be confiscated. If exigent circumstances exist, an ex parte order may be issued authorizing seizure of the animal if probable cause appears to the court that:

- a. The animal is in immediate danger of being released into the wild, destroyed, concealed, removed from the state, or sold or given to an innocent party.
- b. The animal is infected with any contagious or infectious disease capable of being spread to animals or humans.

All animals seized must be held subject to the order of a court of competent jurisdiction. Whenever probable cause exists for a preconfiscation hearing, the owner or custodian of the animal must be notified in writing that, on the day fixed for a hearing, which may not be less than three days from the date of receipt of notice, the owner or custodian may appear or show cause why the animal should not be confiscated. Notice must be delivered to the owner or custodian by personal service or registered mail to that person's last-known mailing address. An affidavit of service or the post-office registration receipt signed by the owner or custodian is prima facie evidence of service of notice.

2. Upon request by the person confiscating the animal, the board, the state department of health, the game and fish department, any county sheriff's office, city police department, or other peace officer may provide assistance in any action to seize,

impound, confiscate, or quarantine any animal suspected of being held or possessed in violation of this title.

3. A court having jurisdiction of an alleged offense under this title or rules adopted under this chapter may order the disposition of all animals that have been confiscated. This order may be entered only after a hearing duly had upon proper notice to the owner or custodian and after a finding by the court that the animal was being held or possessed in violation of this title at the time it was seized.

4. When any nontraditional livestock is found to be held or possessed contrary to this chapter, the court may:

a. Order the animal to be forfeited by its owner or custodian and that the animal be destroyed or disposed of otherwise. The court may order disposition to a zoo licensed by the animal care program of the animal and plant health inspection service of the United States department of agriculture if the zoo requests possession upon confiscation of the animal; or

b. Order the return of custody to the owner or custodian upon compliance with all applicable state and local regulations governing ownership and possession of nontraditional livestock, including payment of any license fees.

The court may award reasonable costs of seizure, care, and keeping pending disposition, and attorney's fees to the agency bringing an action to confiscate any nontraditional livestock under this title.

5. Subject to section 32-12.2-02, the owner of an animal may bring a claim for money damages, and may recover the amount of actual damages incurred during the time of seizure, if the owner establishes that before the animal was seized under this chapter, the agency knew or recklessly failed to determine that the animal, at the time of seizure, was lawfully owned and licensed in this state or that the animal was a domestic animal not subject to seizure under this chapter.

36-01-28

Enforcement orders - Administrative hearing - Penalty

1. Except when otherwise ordered by a court of competent jurisdiction, the board may order any domestic animal or nontraditional livestock brought into this state which is not in compliance with the provisions of this chapter to be returned to the state of origin, or in the alternative, the board may order the animal slaughtered or destroyed. The board may grant an exception for any nontraditional livestock if a zoo licensed by the animal care program of the animal and plant health inspection service of the United States department of agriculture takes possession upon confiscation of the animal.

2. If, after a hearing, the board finds that a person has brought, kept, or received any domestic animal or nontraditional livestock in this state and the animal or livestock is not in compliance with the provisions of this chapter or rules adopted under this chapter, a civil penalty not to exceed five thousand dollars per violation may be assessed against that person.

HEALTH ACT

NDCC 23-07.2-02, paragraphs 1-3

Confinement order - Penalty

1. The state health officer or any local health officer may order any person or group into confinement by a written directive if there are reasonable grounds to believe that the person or group is infected with any communicable disease, the state health officer or local health officer determines that the person or group poses a substantial threat to the public health, and confinement is necessary and is the least restrictive alternative to protect or preserve the public health.

2. Conditions and principles. The state or local health officer shall adhere to the following conditions and principles when isolating or quarantining individuals or groups of individuals:

a. Isolation and quarantine must be by the least restrictive means necessary to prevent the spread of a contagious or possibly contagious disease to others and may include confinement to private homes or other private and public premises.

b. Isolated individuals must be confined separately from quarantined individuals.

c. The health status of isolated and quarantined individuals must be monitored regularly to determine if they require isolation or quarantine.

d. If a quarantined individual subsequently becomes infected or is reasonably believed to have become infected with a contagious or possibly contagious disease the individual must promptly be removed to isolation.

e. Isolated and quarantined individuals must be immediately released when they pose no substantial risk of transmitting a contagious or possibly contagious disease to others.

f. The needs of persons isolated and quarantined must be addressed in a systematic and competent fashion, including providing adequate food, clothing, shelter, means of communication with those in isolation or quarantine and outside these settings, medication, and competent medical care.

g. Premises used for isolation and quarantine must be maintained in a safe and hygienic manner and be designed to minimize the likelihood of further transmission of infection or other harm to persons isolated and quarantined.

h. To the extent possible, cultural and religious beliefs must be considered in addressing the needs of individuals and establishing and maintaining isolation and quarantine premises.

3. Cooperation. Persons subject to isolation or quarantine shall obey the health officer's rules and orders and must not go beyond the isolation or quarantine premises. Failure to obey these provisions is a class B misdemeanor.

23-07.6-03. paragraphs 1-2

Procedures for isolation and quarantine

1. Temporary isolation and quarantine without notice.

- a. Authorization. The state or a local health officer, within that officer's jurisdiction, may temporarily isolate or quarantine an individual or groups of individuals through a written directive if delay in imposing the isolation or quarantine would significantly jeopardize the health officer's ability to prevent or limit the transmission of a contagious or possibly contagious disease to others.
- b. Content of directive. The written directive must specify the identity of the individual or groups of individuals subject to isolation or quarantine, including identification by characteristics if actual identification is impossible or impracticable; the premises subject to isolation or quarantine; the date and time at which isolation or quarantine commences; the suspected contagious disease if known; and decontamination, treatment, or prevention measures that must be followed. The directive must be accompanied by a copy of this chapter and relevant definitions.
- c. Copies. A copy of the written directive must be given to the individual to be isolated or quarantined or, if the order applies to a group of individuals and it is impractical to provide individual copies, it may be posted in a conspicuous place in the isolation or quarantine premises. The state or local health officer may also use any available mass media, including broadcasting, to provide notice and information about the written directive.
- d. Petition for continued isolation or quarantine. Within ten days after issuing the written directive, the state or local health officer shall file a petition under subsection 2 for a court order authorizing the continued isolation or quarantine of the isolated or quarantined individual or groups of individuals.

2. Isolation or quarantine with notice.

- a. Authorization. The state or a local health officer may make a written petition to the trial court for an order authorizing the isolation or quarantine of an individual or groups of individuals.
- b. Content of petition. A petition under subdivision a must specify the identity of the individual or groups of individuals subject to isolation or quarantine, including identification by characteristics if actual identification is impossible or impractical; the premises subject to isolation or quarantine; the date and time at which isolation or quarantine commences; the suspected contagious disease if known; recommended decontamination, treatment, or preventative measures for the suspected contagious disease; a statement of compliance with the conditions and principles authorizing isolation and quarantine under this chapter; and a statement of the basis upon which isolation or quarantine is justified in compliance with this chapter. The petition must be accompanied by the sworn affidavit of the state or local health officer attesting to the facts asserted in the petition, with any further information that may be relevant and material to the court's consideration.

c. Notice. Notice to the individuals or groups of individuals identified in the petition must be accomplished within twenty-four hours in accordance with the North Dakota Rules of Civil Procedure. The notice must include a statement that the respondent has the right to counsel, including appointed counsel if indigent and must include a copy of this chapter.

Attachment B: Transportation Resources, Assembly Points

SPECIAL NEEDS TRANSPORTATION

Location	Buses	Capacity	Contact number
Heritage Center:	One	20 w/wheelchair Lift	577-6751
Contact Jerry Engel	One	14 w/wheelchair Lift	
	1 Van	7 w/wheelchair Lift	
Bethel Lutheran Home	1	11 w/wheelchair Lift (4)	572-6766
	1	15 w/ wheelchair Lift (5)	
Kensington	1	16 w/wheelchair Lift (2)	774-0424
Fire Departments	Ambulances		Contact number
Williston	4		911
Ray	2		911
Grenora	2		911
Tioga	2		911

Transportation Collection Points & Mass Care Centers

Williams County Transportation Collection Points/Shelters

FACILITIES/SCHOOLS	PHONE NUMBER Area Code (701)	LOCATION	CITY
Hagan Elementary	572-4960	2501 29 th St. W	Williston
Lewis & Clark Elementary	572-6331	704 17 th Ave W	Williston
Rickard Elementary	572-5412	1224 1st Ave E	Williston
Wilkinson Elementary	572-6532	1200 9 th Ave W	Williston
Williston Senior High	572-0967	502 W Highland Dr	Williston
Rural School Districts:			
Stony Creek	572-3579	5032 133 rd Ave NW	Williston
Round Prairie	875-4346	5098 151st Ave NW	Round Prairie
Ray School	568-3301	215 West St	Ray
Tioga Senior HS	664-2333	303 Linda St	Tioga
Senior Citizen Center	528-4881	Main Street	Alamo
Senior Citizen Center	859-5561	305 Lawrence Ave	Epping
Senior Citizen Center	694-2472	Main St.	Grenora
Senior Citizen Center	664-3425	17 Benson St	Tioga
Senior Citizen Center	568-3946	8 2 nd Ave W	Ray
Zion Lutheran Church	546-4121	1 Perkins St	McGregor
Fire Department	664-2538	12 1 st St NE	Tioga

Attachment C: Hazardous Cargo Route City of Minot

Unless for the specific purpose of delivery or pickup of cargo within the city, any vehicles Any vehicles carrying hazardous materials (including Anhydrous Ammonia) in amounts that are required to be placarded, shall stay on the following designated Hazardous Cargo Routes around the City of Minot.

THROUGH ROUTE

Highway 2 Bypass East

2 & 52 Bypass South

West 83 Bypass

County road 10A between Hwy 83N & County Road 19

County Road 19 Between CR 10A & Burdick Expressway

Burdick Expressway East from CR 19 to Hwy 2 E

DELIVERY ONLY ROUTE

If a vehicle carrying placarded amounts of hazardous cargo (including Anhydrous Ammonia) must enter the City of Minot for the specific purpose of delivery or pickup of their cargo, they shall follow the most direct designated Hazardous Cargo delivery only routes into the city to their destination and back out again.

Delivery vehicle size will be limited to licensed 48,000 lb gross vehicle weight or less, or having a maximum tank capacity of 4,000 gallons.

Local single unit delivery vehicles which are following their scheduled daily pickups and deliveries are exempt from this ordinance. Nurse tanks or pups are not allowed under this exemption.

For further information call 852-0111..

Hazardous Cargo Route, City of Minot (cont)

